



JC02 Rec'd PCT/PTO 15 MAY 2002 PCT

4.

Attorney Docket No. 71745/56925

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Thomas Richard Kerby Edwards, et al.

U.S.S.N.: 10/049,488 Art Unit: Not Yet Known

FILED: February 12, 2002 Examiner: Not Yet Known

FOR: SAMPLING/DISPENSING DEVICE WITH PLUNGER AND HOUSING
SET ONTO PLUNGER

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on May 10, 2002.

By:


Donna R. Davis

Commissioner for Patents
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE)**

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. Each of the patents, publications or other information listed on the attached PTO-1449 was previously cited by or submitted to the USPTO in connection with U.S.S.N.: 08/000,000, to which the subject application claims the benefit of the earlier filing date. As such, a copy of each is not included herewith pursuant to 37 C.F.R. § 1.98(d).

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. X A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

EP 0 226 867 A2 (identified as reference "BA" on the enclosed form PTO-1449) is not in the English language; however, U.S. Patent Nos. 4,830,832 and 4,967,604 (identified, respectively, as references "AB" and "AC" on the enclosed form PTO-1449) were indicated as members of the "patent family" of EP 0 226 87 A2 on the International Search Report (identified as reference "CA" on the enclosed form PTO-1449) for the International version of the subject application. As such, either or both U.S. Patent Nos. 4,830,832 and 4,967,604 is/are believed to explain the relevance of EP 0 226 867 A2.

FEES

IV. **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)**
(check one box)

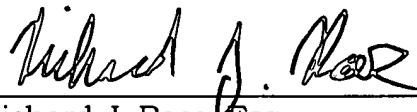
- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☒ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). **No fee or certification is required.**
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,

Date: May 10, 2002

By:


Richard J. Roos, Esq.
Reg. No. 45,053
Attorney for Applicant(s)

EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, Massachusetts 02209
Tel.: (617) 439-4444
Fax: (617) 439-4170

BOS2_300911.1

| | | |
|---|--|------------------------------------|
| FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT | DOCKET NO.: 71745/56925 | SERIAL NO.: 10/049,488 |
| | APPLICANT(S): Thomas Richard Kerby Edwards, et al. | |
| | FILING DATE: February 12, 2002 | GROUP NO.: Not Yet Known |



UNITED STATES PATENT DOCUMENTS

| EXAM. INITIALS | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE IF APPROPRIATE |
|----------------|----|-----------------|----------|------------------|-------|-----------|----------------------------|
| | AA | 3,766,785 | 10/23/73 | Smernoff | 73 | 425.6 | 05/17/71 |
| | AB | 4,830,832 | 05/16/89 | Arpagaus et al. | 422 | 65 | 12/12/86 |
| | AC | 4,967,604 | 11/06/90 | Arpagaus, et al. | 73 | 864.13 | 04/07/89 |
| | AD | 5,658,258 | 08/19/97 | Kneer et al. | 604 | 220 | 09/15/95 |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION YES/NO |
|--|----|-----------------|----------|---------|--------|-----------|--------------------|
| | BA | EP 0 226 867 A2 | 01.07.87 | Europe | B 01 L | 3/02 | No |
| | BB | EP 0 443 227 A1 | 28.08.91 | Europe | A61M | 5/315 | Yes |
| | BC | WO 92/20778 | 26.11.92 | PCT | C12M | 1/38 | Yes |
| | BD | WO 99/34931 | 15.07.99 | PCT | B05B | 13/02 | Yes |

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

| | | |
|--|----|--|
| | CA | International Search Report for International Application No. PCT/GB00/03142, March 11, 2000 |
| | | |
| | | |

| | |
|------------------|--------------|
| EXAMINER: | DATE: |
|------------------|--------------|